

# Exchange at the Massachusetts Ratifying Convention

Amos Singletary and Jonathan Smith

*Commentary*

On September 28, 1787, Congress voted to submit the Constitution to State ratifying conventions according to the convention's recommendations. Now amendments were not in order, and the "nine States" strategy was in place. Moving quickly to obtain ratification before opponents could get organized, proponents called themselves "Federalists" and their opponents "Antifederalists." This terminology was a rhetorical masterstroke because it implied that opponents were against the existing federation, as well as the proposed new Constitution.

All States eventually held ratifying conventions, and the Federalist cause went well at first. Delaware ratified unanimously on December 7, 1787. Despite (not unfounded) charges of riding roughshod over the minority, Pennsylvania ratified on December 12, 1787 by 46-23. Then New Jersey (December 18, 1787) and Georgia (January 1, 1788) ratified unanimously. On January 9, 1788, Connecticut ratified 128-40.

The road to a new nation, however, was getting rougher. Opposition was mounting everywhere. When Massachusetts opened its convention (on the same day that Connecticut ratified), politicians everywhere anxiously awaited the outcome. A large and populous State, Massachusetts had been a Revolutionary leader, and Shay's Rebellion of 1786 had helped precipitate the calling of the Constitutional Convention. Because it followed its traditional practice of electing delegates from the towns, the delegates were more representative of public opinion than most previous conventions. Delegates to subsequent State conventions would therefore note the outcome. Moreover, the outcome was uncertain; later historians who have examined the question believe that opponents had an initial majority.

Eager to avoid later charges of unfairness, Massachusetts delegates agreed to have the proceedings transcribed. Some other conventions also had their debates transcribed, but others did not. Hence, Elliot's *Debates in the Several*

*State Conventions on the Adoption of the Federal Constitution, as Recommended by the General Convention at Philadelphia, in 1787* (first published in 1836) provides texts that are uneven in quality, some being based on transcriptions and others on various other sources.

The Massachusetts convention also agreed to debate the Constitution article-by-article, section-by-section. Debating even the most minor of items, it was not until Tuesday, January 21, that delegates got to the crucial section 8, article 1, which specified congressional powers. Debate continued through Wednesday and Thursday, but, according to Elliot, it had become "desultory" by Friday.

As indicated by the following exchange, reproduced from the 1881 edition of *Elliot's Debates* (Philadelphia: J.B. Lippincott, vol. 2, pp. 101-104), the debate did not remain desultory. To understand it, readers need to know the following (otherwise insignificant) facts. Both debaters had served in the State legislature, which is known officially as the "General Court," but neither was very well known. Both were from small towns in western Massachusetts (Singletary from Sutton and Smith from Lanesborough). Widgery, who interrupted Smith, was from the eastern part of the State. The reference to events in Bristol County was to the well-known upheaval associated with Shay's Rebellion. The exchange was initiated immediately after Fisher Ames, a Federalist, gave a speech which the transcriber unfortunately did not record completely. Judging from the brief summary in Elliot, Ames appealed for unity by calling on "those who stood forth in 1775 to stand forth now" in support of the Constitution.

### **Exchange Between Singletary and Smith at the Massachusetts Ratifying Convention**

Hon. Mr. SINGLETARY. Mr. President, I should not have troubled the Convention again, if some gentlemen had not called on them that were on the stage in the beginning of our troubles, in the year 1775. I was one of them. I have had the honor to be a member of the court all the time, Mr. President, and I say that, if any body had proposed such a constitution as this in that day, it would have been thrown away at once. It would not have been looked at. We contended with Great Britain, some said for a threepenny duty on tea; but it was not that; it was because they claimed a right to tax us and bind us in all cases whatever. And does not this Constitution do the same? Does it not take away all we have — all our property? Does it not lay *all* taxes, duties, imposts, and excises? And what more have we to give? They tell us Congress won't lay dry taxes upon us, but collect all the money they want by impost. I say, there has always been a difficulty about impost. Whenever the General Court was going to lay an impost, they would tell us it was more than trade could bear, that it hurt the fair trader, and encouraged smuggling; and there will always be the same objection: they won't be able to raise money enough

by impost, and then they will lay it on the land, and take all we have got. These lawyers, and men of learning, and moneyed men, that talk so finely, and gloss over matters so smoothly, to make us poor illiterate people swallow down the pill, expect to get into Congress themselves; they expect to be the managers of this Constitution, and get all the power and all the money into their own hands, and then they will swallow up all us little folks, like the great *Leviathan*, Mr. President; yes, just as the whale swallowed up *Jonah*. This is what I am afraid of; but I won't say any more at present, but reserve the rest to another opportunity.

Hon. Mr. SMITH. Mr. President, I am a plain man, and get my living by the plough. I am not used to speak in public, but I beg your leave to say a few words to my brother ploughjoggers in this house. I have lived in a part of the country where I have known the worth of good government by the want of it. There was a black cloud that rose in the east last winter, and spread over the west. [Here Mr. Widgery interrupted. Mr. President, I wish to know what the gentleman means by the east.] I mean, sir, the county of Bristol; the cloud rose there, and burst upon us, and produced a dreadful effect. It brought on a state of anarchy, and that led to tyranny. I say, it brought anarchy. People that used to live peaceably, and were before good neighbors, got distracted, and took up arms against government. [Here Mr. Kingsley called to order, and asked, what had the history of last winter to do with the Constitution. Several gentlemen, and among the rest the Hon. Mr. Adams, said the gentleman was in order — let him go on in his own way.] I am going, Mr. President, to show you, my brother farmers, what were the effects of anarchy, that you may see the reasons why I wish for good government. People I say took up arms; and then, if you went to speak to them, you had the musket of death presented to your breast. They would rob you of your property; threaten to burn your houses; oblige you to be on your guard night and day; alarms spread from town to town; families were broken up; the tender mother would cry, "O, my son is among them! What shall I do for my child!" Some were taken captive, children taken out of their schools, and carried away. Then we should hear of an action, and the poor prisoners were set in the front, to be killed by their own friends. How dreadful, how distressing was this! Our distress was so great that we should have been glad to snatch at any thing that looked like a government. Had any person, that was able to protect us, come and set up his standard, we should all have flocked to it, even if it had been a monarch; and that monarch might have proved a tyrant; — so that you see that anarchy leads to tyranny, and better have one tyrant than so many at once.

Now, Mr. President, when I saw this Constitution, I found that it was a cure for these disorders. It was just such a thing as we wanted. I got a copy of it, and read it over and over. I had been a member of the Convention to form our own state constitution, and had learnt something of the checks and balances of power, and I found them all here. I did not go to any lawyer, to ask his opinion; we have no lawyer in our town, and we do well enough without. I formed my own opinion, and was pleased with this Constitution.

My honorable old daddy there [pointing to Mr. Singletary] won't think that I expect to be a Congress-man, and swallow up the liberties of the people. I never had any post, nor do I want one. But I don't think the worse of the Constitution because lawyers, and men of learning, and moneyed men, are fond of it. I don't suspect that they want to get into Congress and abuse their power. I am not of such a jealous make. They that are honest men themselves are not apt to suspect other people. I don't know why our constituents have not a good right to be as jealous of us as we seem to be of the Congress; and I think those gentlemen, who are so very suspicious that as soon as a man gets into power he turns rogue, had better look at home.

We are, by this Constitution, allowed to send ten members to Congress. Have we not more than that number fit to go? I dare say, if we pick out ten, we shall have another ten left, and I hope ten times ten; and will not these be a check upon those that go? Will they go to Congress, and abuse their power, and do mischief, when they know they must return and look the other ten in the face, and be called to account for their conduct? Some gentlemen think that our liberty and property are not safe in the hands of moneyed men, and men of learning? I am not of that mind.

Brother farmers, let us suppose a case, now: Suppose you had a farm of 50 acres, and your title was disputed, and there was a farm of 5000 acres joined to you, that belonged to a man of learning, and his title was involved in the same difficulty; would you not be glad to have him for your friend, rather than to stand alone in the dispute? Well, the case is the same. These lawyers, these moneyed men, these men of learning, are all embarked in the same cause with us, and we must all swim or sink together; and shall we throw the Constitution overboard because it does not please us alike? Suppose two or three of you had been at the pains to break up a piece of rough land, and sow it with wheat; would you let it lie waste because you could not agree what sort of a fence to make? Would it not be better to put up a fence that did not please every one's fancy, rather than not fence it at all, or keep disputing about it until the wild beasts came in and devoured it? Some gentlemen say, Don't be in a hurry; take time to consider, and don't take a leap in the dark. I say, Take things in time; gather fruit when it is ripe. There is a time to sow and a time to reap; we sowed our seed when we sent men to the federal Convention; now is the harvest, now is the time to reap the fruit of our labor; and if we won't do it now, I am afraid we never shall have another opportunity.